



1,000 Jobs Package Employer Handbook Version 4 – August 2022



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ABOUT THIS HANDBOOK

This handbook provides employers (you) with information about the 1,000 Jobs Package. It guides you when you have been notified by the National Indigenous Australians Agency (NIAA) that your application under the package has been successful.

This handbook should be read alongside the Grant Opportunity Guidelines (GOG), the Indigenous Advancement Strategy Head Agreement and 1,000 Jobs Package Project Schedule (Funding Agreement). If you haven't applied for a grant yet, please refer to [GrantConnect](#) for information on the grant opportunity.

You can also seek advice and assistance from your local Community Development Program (CDP) Provider, or by contacting the NIAA on 1800 079 098 or at 1000JobsPackage@niaa.gov.au.

WHAT IS THE 1,000 JOBS PACKAGE?

The objective of the 1,000 Jobs Package is to get CDP participants into new, ongoing work and to support greater economic development in remote Australia. The Package will support 1,000 employment opportunities for CDP participants in remote Australia, through wage subsidies and retention bonuses.

The 1,000 Jobs Package has been divided into two tranches. This handbook provides information related to Tranche Two of the 1,000 Jobs Package grants only. Tranche Two Applications will remain open until 30 June 2023, or earlier if the 1,000 Jobs Package is fully allocated, and/or at any point when the NIAA closes the funding round.

Tranche One closed 30 December 2019.

In addition to the General stream, a Youth Engagement Jobs (YEJ) stream became available on 31 December 2019. The YEJ is for employers to create jobs for CDP Participants to work with young people in their local areas, to strengthen young people's engagement with their culture and community and/or promote mental health and social wellbeing. These are not necessarily jobs to employ young people, they are jobs to support youth. Depending on the focus of the job, you can receive either the General stream or a combination of the General stream and the YEJ stream.

WHAT IS THE CDP?

The CDP is the Australian Government's remote employment and community development service. CDP supports job seekers in remote Australia to build skills, address barriers and contribute to their communities through a range of flexible activities. The CDP is delivered in 60 regions and supports more than 1,000 communities. For further information including the location of CDP regions, see: <https://www.niaa.gov.au/indigenous-affairs/employment/cdp>



ROLES

Employer obligations

As a recipient of the 1,000 jobs wage subsidy, you (the Employer) must:

- ensure you and the position/s meet all the 1,000 Jobs Package criteria and continue to meet these over the life of the subsidy (refer to 1,000 Jobs Package Tranche Two Extension GOG)
- meet recruitment requirements, including employing a CDP participant/s
- pay the employee their lawful wage and entitlements
- provide the employee with a safe and supportive work environment with appropriate training for the position
- ensure the employee, the position and you as the employer, adhere to all relevant Commonwealth, State and Territory laws
- meet all your obligations under the Funding Agreement, including submitting wage subsidy payment requests and meeting reporting requirements within set timeframes
- work with the local CDP Provider who provides post-employment support to the new employee
- participate in program assurance activities conducted by NIAA, as required
- notify the NIAA and the CDP Provider if you do not comply with any of the requirements outlined in the GOG, Indigenous Advancement Strategy Head Agreement, Funding Agreement or this Handbook, or if the position or employment arrangements in the application substantially change
- pass on all YEJ stream Employee Bonus payments to your employee, for YEJ stream positions.

Refer to individual sections of this Handbook for greater detail on the above.

The role of your local CDP Provider

CDP Providers deliver employment services to CDP participants and offer a single point of contact for participants and employers in each CDP region. CDP participants register with a CDP Provider for assistance to find and keep a job. CDP Providers also assist participants meet their Mutual Obligation Requirements (requirements to continue receiving income support payments).

Prior to being approved for a subsidy, you would have consulted with your local CDP Provider on the position/s and the availability of suitable CDP participants to fill it. Your local CDP Provider will work with you to identify and engage a suitable candidate or candidates capable of performing the position safely. Once a suitable CDP participant has been placed in a role, the CDP Provider will:

- provide support to you and the participant to help ensure the long term sustainability of the employment, which may include the Provider visiting the workplace
- work with the participant to arrange additional activities they can undertake around their work schedule, if necessary
- work with you (the employer) to find a suitable substitute if the current participant is unable to continue in the position (see the Substitution Section for more information).



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The role of the NIAA

The NIAA will:

- assess applications and develop Funding Agreements with successful applicants
- pay eligible employers 1,000 Jobs Package payments after reviewing submitted documentation, including YEJ stream payments where relevant
- monitor and consider incident reports and breach notifications submitted by you
- visit workplaces or related premises, if required, as part of a program assurance.

SUBSIDY AMOUNT

You can claim up to a maximum \$61,058.36¹ (for a full time position) in wage subsidies and retention bonuses over two years (see Table 1).

GST does not apply to payments as there is no direct supply from you to NIAA in return for the payment.

Table 1: Two Year Maximum Payments

Payment type	Maximum payment
Wage Subsidy Year 1	\$37,372.24
Wage Subsidy Year 2	\$18,686.12
Retention Bonuses	\$5,000.00
Total	\$61,058.36

An additional Commencement Payment of \$1,000 will be made to you when a CDP participant starts in a YEJ stream position and a Recruitment Report is submitted.

CDP participants employed in a YEJ stream job are also eligible for an Employee Bonus payment of \$500 at the completion of each six months, up to a total of \$2,000. These will be paid through you and must be passed on to the employee.

Wage subsidy rates

You are responsible for paying all employee wages and entitlements applicable under relevant awards or enterprise agreements (including leave, payee tax and superannuation). If you are unsure of the wages and entitlements that apply to the position, contact the Fair Work Ombudsman (www.fairwork.gov.au or 13 13 94).

¹This amount is calculated at 88.46% of the 2022-23 minimum wage paid over 52 weeks.



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Payment periods are negotiated with your Agreement Manager when the Project Schedule is being developed, and are calculated from the date the employee commences. For example, if an employee commences on 10 October 2021, the first payment period will run from this date. See the [Payments and Outcomes](#) section for more details.

The maximum wage subsidy for a full time job (38 hours per week) is calculated using a base rate. The base rate is calculated from the current minimum hourly rate set by the Fair Work Commission (FWC) which covers 46 weeks over a 52 week period for the first year. The wage subsidy then tapers to 50 per cent of the base rate in the second year. Employers are responsible for paying the balance of the wage as well as leave and superannuation entitlements.

In addition, to the maximum wage subsidy there will be a retention bonus of \$5,000. A lower wage subsidy will be payable for part-time jobs. NOTE: Jobs must be at least 15 hours per week to be eligible for a 1,000 Jobs Package grant.

Retention Bonus Rate

If the employee meets identified milestones, then a retention bonus will be paid in addition to the wage subsidy. Once an employee reaches the employment milestones outlined in Table 2, you can request payment of the relevant retention bonus when submitting your quarterly wage subsidy payment request.

Table 2: Retention Bonus Rates

Milestone from job commencement date	Retention bonus rate
12 months	\$800
18 months	\$1,700
24 months	\$2,500
Total	\$5,000

See the [Payment and Outcomes](#) section on retention bonus payments.

ADDITIONAL PAYMENTS FOR YEJ STREAM POSITIONS

YEJ Commencement Bonus

A Commencement payment of \$1,000 will be paid when a CDP participant starts in a YEJ stream position and a Recruitment Report is submitted.

	Commencement Bonus	Total
AMOUNT	\$1,000	\$1,000



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YEJ Stream Employee Bonus

CDP participants employed in a YEJ stream job will be eligible to receive employee bonus payments of \$500 at the completion of each six months, up to a total of \$2,000 over the life of the subsidy. Incentives will be paid through you and must be passed on the employee.

	At 26 weeks	At 52 weeks	At 72 weeks	At 104 weeks	Total
AMOUNT	\$500	\$500	\$500	\$500	\$2,000

RECRUITING A PARTICIPANT

Your local CDP Provider will work with you to find suitable CDP participants for approved positions. While CDP Providers can make recommendations, you can decide which participant you employ.

A suitable CDP participant **must** start in the role within six (6) months from the date the Funding Agreement is executed (signed by both NIAA and you). If you are approaching this deadline without a suitable participant who can start work by this date, you should contact your NIAA Agreement Manager. If you have not found a CDP Participant within the 6 month recruitment period, the funding offer will lapse and the agreement will end. You can re-apply for the Package.

Suitable candidates

The Candidate must:

- be a CDP participant at the time of commencing employment
- not be a current employee of your organisation prior to commencing with you in a wage subsidy position
- only be engaged in one position with your organisation at a time (the wage subsidy position).

Employee substitution

If an employee stops working for you in the subsidised position, you can employ a new CDP participant in that position. You can make one substitution of a CDP Participant, per eligible position, at any time up to 21 months from the time the first participant started in the position.

See the [Payments and Outcomes – Substitution Section](#) and the [Commencement Report Form](#) for more information.

NIAA Reporting Requirement: You must submit a Commencement Report within two weeks of the employee commencing. Please see [Reporting Requirements](#) section and Attachment B.

WHEN A PARTICIPANT COMMENCES EMPLOYMENT



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Like all workers in Australia, 1,000 Jobs Package employees are entitled to a safe working environment, appropriate employment conditions and to be treated with respect. Under Australian Government, State and Territory laws you are required to ensure the safety and wellbeing of all your employees, including those in subsidised positions.

You should undertake the appropriate steps necessary to ensure the following is provided, prior to commencing employment:

- **Fair Work Information Statement –**
 - You must provide all employees in a subsidised position with a copy of the *Fair Work Information Statement* and explain its contents. The statement is available on the Fair Work Ombudsman’s website: www.fairwork.gov.au/employee-entitlements/national-employment-standards/fair-work-information-statement
- **WHS Induction and Training –**
 - On an employee’s first day in a subsidised position, before they commence working, you must induct them into your organisation’s safe system of work. Specific requirements vary in each jurisdiction. Contact details for WHS regulators are available here: www.safeworkaustralia.gov.au/whs-authorities-contact-information.
 - You must provide employees with any training necessary to ensure they can undertake the role safely, including WHS training. You must ensure employees receive any equipment-specific training that is required prior to using the equipment. If licenses or tickets are required to operate equipment or machinery, you must ensure the employee has these before allowing them to operate the equipment.
- **Working with Vulnerable People Checks**
 - As with all employment in Australia, grant recipients of the 1,000 Jobs Package must ensure their staff are compliant with all relevant State or Territory Government legislation relating to Working with Vulnerable Persons (WWVP), including children.
 - This includes ensuring staff hold any required Working with Children or WWVP checks or clearances. Specific requirements vary in each jurisdiction, more information on WWVP regulations is at: <https://www.humanrights.gov.au/our-work/childrens-rights/state-and-territory-child-safe-resources>

NIAA Reporting Requirement: Each year employers will be required to provide compliance statements to NIAA. Please see [Reporting Requirements](#) section.

ONGOING EMPLOYMENT OBLIGATIONS

Wage entitlements

You must pay employees their full wages and entitlements as outlined in the relevant award, Enterprise Agreement or National Employment Standards. More information on wages and entitlements is available at www.fairwork.gov.au. Employees are also entitled to relevant superannuation payments. Information on superannuation is available at www.ato.gov.au/business/super-for-Employers/.



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Taxation

You must comply with all requirements under the *Income Tax Assessment Act 1997*, and ensure any obligations as an employer are met.

All 1,000 Job Package payments may be considered assessable income. You are responsible for any taxation implications resulting from all payments and should obtain your own taxation advice. See the Australian Taxation Office website for more information at <https://www.ato.gov.au/>.

GST does not apply to payments as there is no direct supply from you to NIAA in return for the payment.

Safe and suitable workplace

It is a requirement under the Funding Agreement and by law for you to provide a workplace that is safe and suitable to their employees at all times. You should consider:

- **Workplace Health and Safety (WHS)** – You must ensure your workplace and all employees operate under a safe system of work, and work health and safety obligations under relevant legislation are met at all times.
- **Insurance** – You must maintain current and appropriate insurance to cover the position as required by law. This includes having appropriate Worker’s Compensation insurance as required by your local jurisdiction. Contact details for WHS regulators are available here: www.safeworkaustralia.gov.au/whs-authorities-contact-information.
- **Facilities and Personal Protective Equipment** – You must ensure employees are equipped with any clothing, materials or other personal protective equipment that is required to participate safely in the activity. You must also ensure appropriate facilities are available such as toilets and access to drinking water.
- **Anti-bullying and harassment practices** – Employees have the right to not be bullied or harassed at work. You must ensure you provide a welcoming environment and comply with all relevant anti-bullying laws. Further information is available at www.fwc.gov.au/disputes-at-work/anti-bullying.
- **Appropriate supervision of employees** – all employees require effective and appropriate supervision. Supervisors should have a high level of skill, knowledge, training or experience in the role they are supervising, and of working with and training staff.

NIAA Reporting Requirement: You are required to notify NIAA on any notifiable incidents under the Safe and Suitable Workplace measures. Please see [Reporting Requirements](#) section.

Hours of work

Employees must work a minimum of 15 hours per week, averaged over each payment period, to be eligible for the wage subsidy. You are only eligible to claim a wage subsidy for the approved number of hours in your application and Funding Agreement averaged over the payment period. Periods of unpaid leave will be taken into consideration when calculating work hours.



Outside employment

The employee can be employed outside your organisation at any time during their employment with you, including in another 1,000 Jobs Package wage subsidy position. However, the employee can only be engaged in one position with your organisation at a time (the wage subsidy position).

Leave

In cases of unpaid long-term leave, subsidised positions can be 'substituted' for a period of 12 months while the original employee is on long-term leave (e.g. parental leave, personal leave, cultural leave, etc.). Retention bonuses will still count during this period. If the employee does not return to the position, or a substitute is not placed into the position following this period, the contract will be terminated.

Substitution

If an employee stops working for you in the subsidised position, you can employ a new CDP employee in that position. You can make one substitution of a CDP Participant, per eligible position, at any time up to 21 months from the time the first employee started in the position.

You should discuss recruitment of a new CDP participant with your local CDP Provider who will find suitable CDP job seekers for your consideration.

Any person placed in a wage subsidy position as a substitute will need to meet the same criteria outlined in the [Recruiting a Participant](#) section of this Handbook.

If a suitable candidate cannot commence employment within **three months** of the position becoming vacant, or allowable substitutions are exhausted before the end of the subsidy, the position will no longer be eligible for a wage subsidy or retention payment. You should contact your NIAA Agreement Manager if you have any concerns leading up to the end of the **recruitment period**.

POST PLACEMENT SUPPORT AND SITE VISITS

CDP Providers must provide post-employment support to CDP participants and their employers for the first 26 weeks of employment. This includes visits to the participant's place of work. Your local CDP Provider will contact you in advance to arrange visits to check in with the participant.

The NIAA may also visit a participant's place of work to ensure the conditions of the Funding Agreement are being satisfied. The NIAA will contact you to arrange any visits.

ENDING THE SUBSIDY

You should notify your NIAA Agreement Manager, if at any time over the life of the wage subsidy, you or the employee decide to end the employment arrangement. You can submit a final claim form for a wage subsidy payment for the hours the employee worked in the final quarter of their employment (noting employees will need to have met the average minimum 15 hours per week



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requirement for the time they worked). When submitting the claim form, please highlight in the comments field that the employment has ceased.

You may be able to fill the position with another eligible CDP participant (see the [Substitution Section](#)) otherwise the position will no longer be eligible for a wage subsidy or retention payment under the 1,000 Jobs Package.

If your organisation is found not to have complied with your obligations under the Funding Agreement, the NIAA may terminate the Funding Agreement, which will end the subsidy arrangement. Funds recovery may also be initiated.

Successfully completing the subsidy period

At the conclusion of the subsidy period of 24 months, the wage subsidy will cease. You must submit all final payment requests and complete a final [Performance Report Form](#). It is expected the employee will continue to be offered ongoing employment with you following the end of the subsidy, in line with your commitment to this being an ongoing position under your executed 1,000 Jobs Package Funding Agreement.

PAYMENTS AND OUTCOMES

Overview

1,000 Jobs Package payments and outcomes are designed to:

help businesses create new positions in remote Australia for CDP participants; and
incentivise you to retain staff on a long-term and sustainable basis.

At the beginning of the subsidy, a larger portion of the wage is subsidised to help you with the initial creation of the position. This then tapers off and retention bonuses commence to reward and incentivise you to retain the employee. This is why the Package's payments and outcomes are attached to the 'position' and not the 'individual employee'.

Wage subsidy payment

You will be able to claim your first wage subsidy payment at the end of the first payment period. You can then make a claim every subsequent payment period the employee remains in the eligible position, until the end of the subsidy.

A claim for payment to the NIAA must be made within three months of the end of the payment period the claim is for and include:

- an invoice which meets the requirements set out in the Funding Agreement, Part 2 Clause 6 – tax and invoice section;
- a completed "[Claim for 1,000 Jobs Package Payment Form](#)", including a declaration by you that the information provided is true and correct and that you are aware of the consequences of providing misleading information; and
- associated documentary evidence, including a copy of the employee's payslips to demonstrate the hours worked, wages paid, and entitlements paid/provided for the entire claim period.



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The [Claim for 1,000 Jobs Package Payment Form](#) is at the FORMS Section of this document and should be emailed to your NIAA Agreement manager when completed.

Retention Bonus Payments

You can apply for a retention bonus if the position has been occupied for 12, 18 and 24 months following an employee's commencement date, if:

- the position has been occupied for the whole of the retention bonus period, and
- the NIAA has approved all claims forms and accompanying documentary evidence for the retention period.

You will need to fill out the retention bonus section of the [Claim for 1,000 Jobs Package Payment form](#) to claim the retention bonus. The **Leave** section has information on the impact of leave on retention bonus payments, including periods of allowable leave.

Payment of GST

The wage subsidy payment and retention bonus payments are out of scope for the purpose of GST, as there is no direct supply from you to NIAA in return for the payment. Therefore, GST does not apply to payments. You should seek advice from a qualified tax service or agent for clarification on potential tax implications of the subsidy.

Payments on substitutions

If a CDP participant commences as an eligible substitute in a wage subsidy position within three months of it becoming vacant, you are entitled to receive any remaining wage subsidy payment applicable to that position. See the [Substitution Section](#) for more information on allowable substitutions.

Payment recovery

Where an incorrect payment has been made, the NIAA may recover funds from your organisation. For false or misleading statements, you may be liable for prosecution.

1,000 Jobs Package interaction with other payment outcomes

You must notify the NIAA if you receive funding for the 1,000 Jobs Program position from another source at any time during the life of the subsidy. Positions cannot be:

- subsidised or funded by another Commonwealth program (such as Tailored Assistance Employment Grants or Vocational Training and Employment Centres)
- funded by State or Territory Government where total subsidies including 1,000 Jobs Program subsidies amount to more than 100 per cent of an employee's wages and entitlements
- for the delivery of government funded employment services (such as CDP providers).



ADDITIONAL SUPPORT AND CONTACTS

Additional information on the 1,000, Jobs Package is at:




- 1,000 Jobs Package website (www.niaa.gov.au/indigenous-affairs/employment/1000-jobs-package). Including latest versions of: reporting templates (e.g. Claim for 1,000 Jobs Package Payment form); and the Employer Handbook.

You may wish to contact your local NIAA Regional Office or CDP Provider for more information.

- Local NIAA Regional Office: call 1800 079 098 or email 1000jobspackage@niaa.gov.au.
- Local CDP Provider: To find the contact details of the CDP provider in your local area, use the provider search tools on Australian Government's [Workforce Australia site](#), enter town or postcode and filter results to show CDP Providers.

FORMS:

You will need to submit the following reports to your NIAA Agreement manager, by the due dates specified.

Report	Due Date	Description	Report template
<u>Working With Vulnerable People – Annual Statement of Compliance (SOC)</u>	By 31 October (in each year of the grant)	<p>Every year you are required to submit written documentation to the NIAA depending on how you rate your organisation’s level of contact with vulnerable people (including children).</p> <ul style="list-style-type: none"> Rated as none or low – you must submit: a signed letter featuring your organisation’s letterhead confirming your risk self-assessment rating; and a signed Statement of Compliance. Rated as medium, high or extreme – you must submit: a signed letter featuring your organisation’s letterhead confirming your self-assessed risk rating and confirming a risk assessment and staff compliance and training regime are in place; and a signed Statement of Compliance. 	<p>A template will be provided to you by the NIAA. More information is available at: https://www.niaa.gov.au/indigenous-affairs/working-vulnerable-people-including-children</p>
<u>Commencement Report Form</u>	Within two weeks, from the commencement date of the employee.	<p>This report identifies which CDP participant you have engaged, and confirms the eligibility criteria and commencement date. The NIAA maintains the right to extend this recruitment period for extenuating circumstances, which will be assessed on a case-by-case basis. If you are approaching the end of the recruitment period, and have not identified a CDP participant, please contact your Agreement Manager.</p>	<p>Click on the icon below to open the form:</p>  <p>1000 Jobs Commencement Req</p>
<u>Performance Report Form</u>	Within one month of the end of the Job Services Period	<p>In this report you must determine performance against the performance targets for each employee, as set out in the Funding Agreement, and detail how you plan to continue the position beyond the end of the subsidy.</p>	<p>Click on the icon below to open the form:</p>  <p>1000 Jobs Performance Report</p>
<u>Claim for Payment Form</u>	Dates are detailed in your funding agreement	<p>This form is for claiming a Wage Subsidy Payments and/or Retention Bonuses under the 1,000 Jobs Package.</p>	<p>Click on the icon below to open the form:</p>  <p>1000 Jobs Claim for Payment Form.pdf</p>

ADDITIONAL NOTIFICATIONS (as required):

Report	Due Date	Description
<p><u>Notifiable incidents and breach notifications</u></p>	<p>As soon as possible following a Notifiable incident with subsequent reports within 10 days</p>	<p>Where a notifiable incident arises in connection with a 1,000 Jobs Package subsidised position, you must provide your NIAA Agreement Manager with:</p> <ul style="list-style-type: none"> a) notice of such incident and a copy of any written notice provided to the relevant State/Territory WHS Regulator, as soon as possible after the notifiable incident has occurred; b) a report detailing the circumstances of the incident, the results of investigations into its cause, and any recommendations or strategies for prevention in the future, within 10 days; and c) any other information about the notifiable incident, as reasonably requested by the Commonwealth, within 10 days. <p>You must cooperate with any investigation undertaken by the Commonwealth concerning any notifiable incident, or breach or alleged breach of WHS laws, or any audit of work health and safety performance, arising in respect to the positions</p> <p>According to section 35 of the <i>Work Health and Safety Act 2011</i> (Cth) notifiable incident means:</p> <ul style="list-style-type: none"> (a) the death of a person; or (b) a serious injury or illness of a person; or (c) a dangerous incident.
<p><u>Working with Vulnerable People - notification</u></p>	<p>Immediately notification if employee is prohibited from having contact with a vulnerable person</p>	<p>You must immediately notify NIAA in writing if the employee has or may have contact with a vulnerable person and is prohibited from having contact with a vulnerable person.</p>
<p><u>Assurance Activities</u></p>	<p>As requested by NIAA</p>	<p>NIAA may request additional documentary evidence from your organisation as outlined in your Funding Agreement as part of ongoing program assurance activities.</p>

COMPLAINT PROCEDURES FOR EMPLOYEES AND EMPLOYERS

You should be aware of the complaint processes as part of the 1,000 Jobs Package subsidy and make the process known to employees.

Employees

An employee in a subsidised position is considered an employee in a workplace relationship which is governed by the *Fair Work Act 2009*. If an employee is dissatisfied with any aspect of their employment arrangements, the Fair Work Ombudsman can provide information and advice to resolve any workplace issues. Assistance is provided at no charge.

- Phone: 131 394
- Website: <https://www.fairwork.gov.au/>
- Online enquiry: <https://www.fairwork.gov.au/contact-us/online-enquiries>

An employee seeking to make a complaint should initially talk to their employer or CDP Provider. The CDP Provider will offer a feedback process which is fair and will try to resolve their concerns.

If an employee feels they cannot talk to their CDP Provider or you, or are still concerned, they should contact the Department of Employment, Skills, and Education - National Customer Service Line on 1800 805 260 (free call from land lines) or email nationalcustomerserviceline@jobs.gov.au.

If an employee has any concerns about their income support payments, they should contact the Services Australia at [Income support payment - Services Australia](#)

Employers

When you are successful in receiving a wage subsidy under the 1,000 Jobs Package, you are considered a 'grant recipient' after you enter into their Funding Agreement administered by the NIAA. If you are dissatisfied with the decision made by the NIAA, or any aspect of the grant application, assessment, notification or management process by which you are receiving a subsidy to employ the employee, you should contact the relevant NIAA Regional Office initially to raise the issue on 1800 079 098.

If you would like to formally lodge a complaint to the NIAA about any aspect of the grant process, you should contact the Complaints Mailbox at complaints@niaa.gov.au or Complaints Hotline (02) 6152 3050.

Commonwealth Ombudsman

If you do not agree with the way the NIAA has handled the complaint, you can write to the Ombudsman. The Ombudsman can investigate complaints about actions and decisions of Australian Government agencies to see if they are wrong, unjust, unlawful, discriminatory or just unfair. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the NIAA. Assistance is provided at no charge. The Ombudsman can be contacted on:

- Phone (toll free): 1300 362 072
- Email: ombudsman@ombudsman.gov.au

Judicial review

An aggrieved person may also consider a judicial review application if there are any concerns whether the actions of the NIAA have been performed in accordance with the applicable administrative processes and principles, and are within power.

The *Administrative Decisions (Judicial Review) Act 1977* (Cth) establishes proceedings in the Federal Court of Australia for judicial review of administrative decisions made by Commonwealth officials under statutory

authority. In exercising its judicial review powers, the Federal Court is concerned only with the legality of the administrative action, and except for certain narrow grounds, has no regard to its merits.

For a decision to be subject to judicial review, it must be of an administrative character, and made, proposed or required to be made (whether in the exercise of a discretion or not) under an enactment, by a public authority.

Services to assist with making a complaint

- **Phone:** (02) 6152 3050
- **Post:**
Complaints
National Indigenous Australians Agency
GPO Box 2191
CANBERRA ACT 2601

For non-English speaking persons, the Translating and Interpreter Service (TIS) can help on 131 450.

For deaf, hearing impaired or speech impaired persons, contact the Commonwealth Ombudsman through the National Relay Service:

- TTY users phone 133 677 then ask for 1300 362 072
- Speak and Listen users phone 1300 555 727 then ask for 1300 362 072
- Internet Relay users connect to the National Relay Service then ask for 1300 362 072